

San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600
State of California | Gavin Newsom – Governor | info@bcdc.ca.gov | www.bcdc.ca.gov

November 9, 2023

TO: All Commissioners and Alternates

FROM: Lawrence J. Goldzband, Executive Director (415/352-3653; larry.goldzband@bcdc.ca.gov)
Reylina Ruiz, Director, Administrative & Technology Services (415/352-3638; reylina.Ruiz@bcdc.ca.gov)

SUBJECT: Draft Minutes of November 2, 2023 Hybrid Commission Meeting

1. **Call to Order.** The hybrid meeting was called to order by Chair Wasserman at 1:05 p.m. The meeting was held with a principal physical location of 375 Beale Street, San Francisco, California, and online via Zoom and teleconference.

Chair Wasserman stated: Good afternoon. My name is Zack Wasserman, and I am the Chair of BCDC.

Before we start, let me take care of a couple of agenda items. We are going to delay our discussion of the upcoming contract with the San Francisco Port to fund waterfront planning activities. Staff hopes to bring that contract to us at our next meeting or in early December. In addition, the state's new Rising Sea Level Guidance will be available in December so that will be on that agenda. We will also delay on this agenda our Highway 37 discussion until our next meeting.

Chair Wasserman asked Ms. Ruiz to proceed with Agenda Item 2, Roll Call.

2. **Roll Call.** Present were: Chair Wasserman, Vice Chair Eisen, Commissioners Addiego, Ahn, Beach, Burt, Eckerle, Eklund, El-Tawansy, Gioia, Gorin, Gunther, Hasz, Lee (represented by Alternate Kishimoto), Lucchesi (represented by Alternate Pemberton), Mashburn (represented by Alternate Vasquez), Moulton-Peters, Peskin, Pine (represented by Alternate Canepa), Ramos, Ranchod, Randolph, Showalter, Tam (represented by Alternate Gilmore) and Zepeda.

Chair Wasserman announced that a quorum was present.

Not present were Commissioners: Department of Finance (Benson), U.S. Environmental Protection Agency (Blake)

3. **Public Comment Period.** Chair Wasserman called for public comment on subjects that were not on the agenda.

Chair Wasserman added: Prior to starting the comment I do want to re-emphasize what was said in the video. We have, unfortunately, across our region and the country experienced an increase in a term I would just as soon not know, Zoom Bombing, in which people utilize time to engage in hate speech, personal attacks or threats. I want to reiterate that as Chair that will not be tolerated, and people will be cut off quickly.

**BCDC MINUTES
NOVEMBER 2, 2023**

Mr. John Coleman addressed the Commission: Good afternoon, Chair Wasserman, Commissioners and BCDC staff. For those who do not know me, I think most of you do, I am the Chief Executive Officer of the Bay Planning Coalition. It is so nice to be here in the room again and hopefully the dreaded word that Chair Wasserman talked about will go away at some point in the near future. I guess everybody should get their second or third shot if that's necessary.

I am here to actually introduce a new person on our staff. Robert Rogers, who is to my right, is a new policy associate. He comes from Sonoma Water. He has a background in water resources as well as legislation. I was able to introduce him to some of you here and then clearly some of the people on the screen I could not introduce you to him. We welcome him at BPC, and you will probably see him or hear from him at so some points in the future. I asked him if he wanted to speak now and he said, not really. I understand that completely, I would not either if I was in his shoes.

But as I have told people, our relationship with BCDC when I got here 11, 12 years ago was tenuous at best sometimes. I think it has, and I think others who have been around here long enough can attest to the fact that it is much different now. We may not always agree. That's fine. My wife and I do not always agree either.

But the fact of the matter is, we try and work through the issues so when something comes up, we can work in a collaborative manner, and be able to support, hopefully, the issues that you have coming up before you, because we believe that BCDC plays a critical role in protecting not only the environment but the economy of our region. And that's what we enjoy. That's what we are here.

Whether we touch the water or drive over the water, we want to make sure that our natural resources are protected for the future generations that are to come.

So, with that, again, Robert Rogers, and thank you everybody for your time.

Chair Wasserman moved to Approval of the Minutes.

4. **Approval of Minutes of the October 19, 2023 Meeting.** Chair Wasserman asked for a motion and a second to adopt the Minutes of October 19, 2023.

MOTION: Commissioner Eklund moved approval of the Minutes, seconded by Commissioner Randolph.

The motion carried by a voice vote with no opposition and Commissioner El-Tawansy voting "ABSTAIN."

5. **Report of the Chair.** Chair Wasserman reported on the following:

a. **Video.** The first thing that I want to do is introduce all of our Commissioners, and the public who are here and watching, to a marvelous new video that has been created as part of our Bay Adapt Regional Shoreline Adaptation Outreach Program. It has been carefully worked on. I am sure you could find something to improve in it. There is always something to improve. But it is really good; and I think it helps to get the message out and we are going to share it.

(A video was shown.)

Chair Wasserman continued: Thank you for that. It should be posted shortly on the website; it is there now. If anybody would like a copy for distribution please contact Larry or staff, we will get that to you.

b. **Nomination of new member of Engineering Criteria Review Board Alternate.** My next piece is the nomination of a new member of the Engineering Criteria Review Board as an Alternate. As you may recall, one of my duties as Chair is to appoint members of the ECRB and the DRB. We had a vacancy on the ECRB and moved an Alternate up and have gone through a process to find a new Alternate.

Jenn Hyman, our new Chief Engineer, conducted a search for a new structural engineer. She posted the opening on the BCDC website and LinkedIn, reached out to local universities including University of California at Berkeley, Stanford, San Jose State University and San Francisco State; and sent emails to the local chapters of the Society of Women Engineers, Society of Hispanic Professional Engineers, and the National Society of Black Engineers.

The call for nominations emphasized both experience with complex projects in and near the bay and the Commission's desire to broaden the diversity of the ECRB membership in accord with the Commission's recently adopted Environmental Justice and Social Equity Guiding Principles.

After the screening and interview process there is a recommendation that Patrick Ryan be appointed to the open alternate position. Mr. Ryan is a licensed professional structural engineer and principal and co-founder of Ryan Joy Structural Design, a San Francisco-based engineering and design firm. He has 31 years of professional experience managing Bay Area projects with structures on land along the shoreline and in the Bay. He served as the structural principal for the Exploratorium renovation and seismic retrofit of Piers 15 and 17, as well as developments in Mission Bay and Oyster Point. His recent design work at Piers 38-40 includes sea level rise and sea wall resilience.

He has volunteered his time on committees for the Structural Engineers Association of Northern California and served on the boards of the AIA San Francisco and the Construction Specifications Institute, San Francisco.

I concur in this recommendation and unless I hear an objection, I will appoint Mr. Ryan as an Alternate to the ECRB. Seeing/hearing none, he is so appointed. Thank you, Jenn, for your work.

We continue, as the video indicated, advancing Bay Adapt and figuring out what we can do. Staff is working hard on the implementation and rolling out of our new responsibilities under SB 272.

I am glad to see so many Commissioners in the room and hope that others will join us for our post-meeting get-together social hour in the Temescal Room after we conclude our meeting.

No discussion of specific business under BCDC's jurisdiction will occur at the social gathering and so it is not a meeting subject to the requirements of the Bagley-Keene Open Meetings Act. But it is a chance for us to talk to each other, including Alternates, including senior staff, and any staff who are here are welcome.

c. **Next Meeting.** Our next meeting will be held on November 16 here at the Metro Center. At that meeting we hope to take up the following matters:

- (1) Consideration of the contract with the Port of San Francisco regarding the San Francisco Waterfront Special Area Plan;
- (2) A public discussion on the program to reconstruct State Route 37 in the North Bay;
- (3) An update on our Enforcement Program; and,
- (4) A briefing on our current and past year's budget.

We expect to hold all of our regularly scheduled meetings throughout the rest of this year, including a meeting on December 21. Please keep those on your calendar and make sure that you are available. We will probably not meet on January 4, 2024.

d. **Ex Parte Communications.**, This brings us to the always exciting ex parte reports if any of you have had discussions outside of the Commission meetings on matters that are adjudicatory or you think are important to disclose. You are obligated to disclose those in writing. If you have done so or for other reasons wish to do so verbally, now is the time to do it, but again, you must do it in writing. Any ex parte communications? Seeing none, we miss that excitement.

That brings us to the report of the Executive Director.

6. **Report of the Executive Director.** Executive Director Goldzband reported: Thank you, Chair Wasserman.

One thing that we all have to learn as leaders or managers or colleagues or parents or friends is that, simply, sometimes things just go wrong. Sometimes it is because we have not thought through all the possible ramifications of an idea. Other times it is because we overplay our hands and think we are just smarter than the other guy. And other times it is something totally different.

For example, on this day in 1948, President Harry Truman won an astoundingly surprising reelection bid. But what we all remember is not how he won it, but that after the election was called, he was photographed holding the front page of the Chicago Daily Tribune with the headline "Dewey defeats Truman."

Or, why did Cornell University graduate student Robert Morris decide on November 2 1988 that it was a good idea to let loose his Morris Worm from MIT's computer network, just to see what would happen, costing probably millions of dollars to fix the unintended ramifications of the first worm ever let loose on the Internet.

I bring these examples up because of today's very short agenda. We had planned to have at least two or three more items on the agenda, including a discussion of Highway 37 in the North Bay, and a contract to move forward San Francisco's Waterfront Planning Program, but neither of those issues could move forward in time. So, we plead for your indulgence and want to let you know that we shall endeavor to plan better throughout the remainder of the year and beyond.

And I want to reinforce something that Chair Wasserman just said. We will have Commission meetings twice in November and twice in December as planned and we need you at each of them. December will bring a very contentious public hearing and then a vote two weeks later.

I want to let the Commission know that I have made a decision to require our staff to work in the office two days per week starting in January, an increase from the current one day per week.

One of those two days will be on Thursdays each week, when our entire staff will come into the office to maximize our inter-division work and to align our in-office work with Commission meeting days. Tim Cook calls this an anchor day.

While we have been able to get work completed and completed well while working mainly remotely, I believe that we can accrue significant productivity gains if we work together physically one extra day per week. Buttressing, if not increasing BCDC's collaborative culture, expanding our ability to learn from each other informally as well as formally and further capitalizing on the social aspects of work all will lead to a more productive and insightful staff.

The state's current system favors enabling our staff to come into the office two days per week and I have no plans to increase that any further.

Of course, we shall remain as flexible as we always have been regarding the need to attend to family and others in a staff member's care or providing flexibility for staff who conduct site visits or perform work in other parts of the Bay Area.

I recognize this may impact our ability to retain and recruit staff, but I believe that the advantages far outweigh the risks involved. I am happy to discuss this with any of you as Commissioners, just as I am doing with the staff this week and next.

Given that the Coastal Commission and the Coastal Conservancy have already started bringing back their staff two days per week I do not anticipate that our bargaining units will oppose the change.

I am very happy to report that we hosted over 180 participants in BCDC's first Bay Adapt Regional Shoreline Adaptation Plan Guidance Workshop. That's a mouthful to be sure. And I want to let you know that it was a remarkably active virtual workshop. Lots of discussion about the Bay, SB 272, definitions of subregional plans, everything that our staff briefed you on two weeks ago. Terribly exciting.

Now for some disappointing news for our administrative staff, and maybe for you. Starting in January, state law will again require Commissioners who are not present at 375 Beale Street during our full Commission meetings to provide the public with the addresses from which they will be participating virtually, and our remote participants will be required to do so in a publicly accessible and noticed physical space.

While legislation has been enacted that changes the Bagley-Keene Act in some ways, the public noticing requirement can be eliminated only if a majority of Commissioners are present physically here at Metro Center.

Clearly, staff cannot prospectively ensure that a majority of Commissioners will be physically present at 375 Beale Street for any given meeting, and we will not run the risk of not having a quorum.

As for the Commission's advisory bodies, we will not be required to publish the location of an advisory body member participating remotely so long as one staff member is present at 375 Beale Street during the meeting. That is an easy bar to clear.

That completes my Report, Chair Wasserman. I am happy to answer any questions.

Chair Wasserman asked: Any questions for the Executive Director?

Commissioner Gunther chimed in: Larry, I just want to say I am glad to hear that you are asking people to come in twice a week. This is something I have been experiencing with other organizations that I am on the boards of and executives seem to be coming back to that place.

However, I am quite aware that is really comfortable for those in my generation. But the younger generation, I have had discussions with people who insist productivity will not be adversely affected. And so, I am just interested in whether you will share with us say in three to six months how things are going. And I also have experienced some people who say, yay, I want to come back to the office.

Executive Director Goldzband responded: Great question. Yes, we will, because we have to figure it out. So, if we are going to figure it out, we will tell you.

This has been really, from an organizational behavior perspective, from a leadership perspective, this has been one of the more interesting, and I mean that not in an obfuscatory way, but really an interesting process for me. You know, I am, I will tell you all, I now carry a Medicare card as of this year, which has affected me greatly in a lot of ways. But the point is that I grew up professionally in a way that people under the age for example of 40, or maybe under 30, have not.

And that is compounded by the fact that we had a pandemic in which everybody changed the way they behaved in terms of how we worked.

I think that the really interesting point about this is that the discussions that my wife and I have with our friends who are also in the working world on Saturday nights or at dinner parties or whatever, it revolves around this. We are all interested in how we work now.

I have been really gratified that a number of our staff who are younger, less veteran than we are, by far, are eager to come back in the office a couple of days a week. And a couple have gone so far as to say, I really want to meet everybody. Because they have not met everybody because we hired a huge number of people, in a relative way, over the pandemic and over the past year. So, the Thursday anchor day I think is going to be really, really important.

I do think, because I have seen it in the days that I am in the office three days a week, that when people are sitting next to each other they talk with each other, and they will run into each other. I have seen informal discussions that would never have taken place had they not been in the office. And they are learning things from their colleagues. I am learning from them. I think it is really, really important to do this.

It is only two days a week, compared to five days pre-pandemic, and we will give a lot of flexibility on that second day. We let the managers choose when that is going to be, and they will figure out what is best for their teams. There will be flexibility that way too. We will keep you informed.

Productivity is not measured at BCDC by the number of widgets. It is not as though you can quantify. We are not going to be able to make a significant number or increase a significant number of permits that we issue because we are here, that is not the way the world works. But productivity can well be measured by increasing culture, by increasing social aspects at work and the like, and so I think by doing this we will increase our general productivity. Thanks for the question.

Commissioner Gunther added: I would also just point out my experience that I have heard from others that those who suffer greatly from remote work are the youngest staff members who end up not having any kind of regular mentoring that just kind of happens elbow to elbow with people. And I also would suggest, Mr. Chairman, we consider possibly having anchor meetings.

Chair Wasserman replied: We will talk more about that.

Commissioner Randolph was recognized: I would just reinforce and support what you were talking about, Zack, and your experience too, Andy.

We have been back now in my organization two days a week but the trend is toward three. We are clearly a better team and more effective when we are together and having those kinds of interactions.

I think what you are probably going to see is a trend in the private sector. It is two days a week now, but trending toward three and probably four days over the next maybe two years. It is not all at once because it is a negotiation, it is a cultural shift with us as well, my younger workers. But after sort of a sputtering attempt to do this in 2022, I think you are seeing more of a consensus in private industry that we are better together, and sort of actual standards being enforced by companies.

I am not suggesting this for the Commission, but that people's salaries, their evaluations, their employment will depend on actually being in over time.

I think what you are doing now is consistent with the direction we are seeing in the private sector. It is a transition, but I think over probably the next two years, maybe three, probably we will all be back three to four days.

Executive Director Goldzband chimed in: Can I respond to that for a second, because I want to educate the Commission about something about CalHR and the way we work at the state. And, Dina, you know this.

I mentioned in my report that there is this split within the state in terms of how the state looks at two days versus three days. What the state did when people were coming back, when state workers were coming back, was provide a stipend.

The amount of that stipend depends upon whether you are either office-centric or remote-centric. You are office-centric if you are less than two and a half days out of your house and you are remote-centric if you are more than two and a half days out of your house. Well, we do not have halftime people at BCDC so that basically means two versus three.

I figured, and I think this is right, and I think this is fair, I do not want to get in front of the state. If the state decides to change the two-three split into something else, if the next governor decides to do that, I do not have control over that. But at this point, since everybody at BCDC is remote-centric, with the exception of me because I come in three days a week and everybody else is coming in one day a week and soon two days a week, I am not going to go past two days, because that is how the stipend works within CALHR, and CalHR has figured there is a two-three split.

I am looking at Dina because at Caltrans you have people coming in every day, you have some people probably coming in no days, because you are such a varied workforce. Go ahead.

Commissioner El-Tawansy stated: Yes, you are absolutely right, Larry. It depends on the needs, the business needs, and every district is a little bit different depending on what their needs are.

Our construction and maintenance folks have been in five days a week for the most part, they need to be. Our other divisions, we are asking them to come into the office a minimum of two days. Now this is at District 4, our Bay Area direction.

We see definitely there is a need with a lot of our young people coming into the organization without any prior experience. We want to be able to do some team building, have an opportunity for them to get to know their teammates and ask questions face to face. There is a lot of value in having people interact face to face. So that is what we have been doing so far and we are going to be reevaluating it every six months or so to see if we are actually on point or not.

Commissioner Gioia commented: I just wanted to say, when we get into January and the regional centers, I am willing to have my office be a regional location just like we currently are for the Air District and the San Francisco Bay Restoration Authority. We get other board members in the Air District coming to my office. Because we have staff that can run this whether I am here or not, but I will usually be here. I just wanted to put that out there.

We should probably be doing what the Air District is doing working with current members who are associated with agencies where they have public offices. And I see my friend, Richmond Council Member Cesar Zepeda here. Cesar can just drive on up to my office, for example, or we could go take the ferry to San Francisco. I just wanted to make sure that was available.

Chair Wasserman stated: And we will take you up on that I'm sure. My only comment, and it is a parallel in part to employees coming in, and that's about our meeting in person versus these hybrid meetings.

One, there is just as much uncertainty and experimentation going on in that, as those of you who are elected officials that serve on other regional boards know. I think in particular they have not, they, the legislature, have not looked very closely at the differences for regional boards such as ours. Because as much as I think having people here in the room makes a difference, to wit, our social hour after this meeting. There are also other factors ranging from environmental to plain and simple efficiency when you have got people coming in from all over the Bay Area.

And my hope is that the legislature will continue reviewing this and perhaps come to some better solutions than the legislation that will take effect in 2024 appears, at least to me.

Commissioner Showalter chimed in: I would just like to reiterate the concept of anchor meetings. I presume what that means is that is a meeting we expect everybody to show up to in person.

Having served on a number of projects over the years, I have observed that if you have an anchor meeting every quarter or every six months you can do your work pretty well over the phone or by Zoom. But those anchor meetings are important, and they should be agendized well in advance so we can plan for the transportation time and, of course, they should include a social hour.

Chair Wasserman acknowledged: Thank you.

7. **Consideration of Administrative Matters.** Chair Wasserman stated there were no listings on Administrative Matters.

8. **Public Hearing on the San Francisco Bay Area Seaport Plan Update, Bay Plan Amendment No. 1-19.** Chair Wasserman stated: Item 8 is a Public Hearing on the San Francisco Bay Seaport Plan Update, Bay Plan Amendment No. 1-19. The Commission will now hold a public hearing on the Draft Plan to update the findings, policies and map designations of the Seaport Plan. We have not scheduled a vote on this item today to make sure that the Commission and staff can analyze public comments and include in the final draft proposal any improvements and appropriate changes.

Before we hear the staff report from Principal Waterfront Planner Cory Mann, I would like to give Vice Chair Eisen, who is the Chair of the Seaport Planning Advisory Committee, the opportunity to provide context, if she desires.

Vice Chair Eisen replied: She does desire. I was grateful that Chair Wasserman was going to ask me to speak because it gave me an opportunity to take a trip down memory lane in the last few days.

It was back in January 2019 when the Commission was asked to consider two Bay Plan Amendments, one is this one to revise the Seaport Plan, and the second one was to remove Howard Terminal from the Port Priority Use Designation that covered it.

For reasons our Chair knows very well, we chose to address the Howard Terminal Amendment first. And did you say something about contentious hearings? I thought maybe I should issue a trigger warning before I mentioned Howard Terminal. But looking back on it, it feels sometimes like it was an exercise, a prolonged exercise in futility because we all know what happened after we reached our conclusion in June 2022.

But in connection with this Bay Plan Amendment to revise the Seaport Plan, it occurred to me that we learned a lot during that process. We learned a lot that turns out to be very helpful in what we are going to be doing next.

For example, we learned about the SPAC, the Seaport Planning Advisory Committee, and the expertise that we have there and how important they play a role in advising this Commission. I hope there are some SPAC members here today.

We learned a lot about the ports. A great deal about the ports and the difficulties they face in planning and making sure that they continue to provide this huge economic benefit to the Bay Area.

We learned more than I ever thought I would know about cargo forecasts and how difficult long-term planning is and how important it is to update these long-term plans regularly so that when we do get called on to make decisions, we have information that we can really use and rely upon.

And the other thing I thought was really important in that process is we learned, or relearned, how important it is when we make our decisions to involve the environmental communities and the equity communities in the process.

And I was really happy when I saw the Draft Seaport Plan a couple months ago I guess it is now, Jessica. It was clear that our staff has taken every one of those lessons to heart and has incorporated them in the Draft Seaport Plan that we are going to hear about in a second and in the process of creating that Draft Seaport Plan. So, it was not all for naught. In fact, I think it actually plays a very important role in what we are going to be doing next. Thank you, Chair Wasserman.

Chair Wasserman added: Thank you. It is important to learn from history.

I would now ask Cory Mann to present the Seaport Plan draft.

Principal Waterfront Planner Mann presented the following: Thank you, Chair Wasserman, and thank you, Vice Chair Eisen, really appreciate it. Good afternoon, everyone. Today I am excited to give you a presentation on the San Francisco Bay Area Seaport Plan. The Seaport Plan was first published in 1982. And as you know, we have been undertaking a comprehensive update to the Plan.

In advance of today's meeting, staff circulated a new Draft Seaport Plan, along with a staff Report, a Draft Environmental Assessment, as well as an addendum to the Cargo Forecast. I believe that Kat is going to add a link to those documents in the Zoom Chat for your convenience in case you would like to refer to them.

This presentation is going to be about 30 minutes, but I am actually going to take a break at the midpoint just to answer any really brief clarifying questions. Apologies that this is on the longer side but there is a lot for us to cover today and we will still have plenty of time for questions and discussion.

Here is a preview of what I will be talking through.

First, I will be going through some basic background about the Seaport Plan, like the purpose of the Plan and how BCDC has used it in the past and how we are working to update it.

And then I will get to the Draft Plan itself. I will provide an overview of the proposed changes to the policies of the Plan. There is not enough time to go into depth about every policy in this presentation, so I will mostly discuss this at the level of topic areas and how they have changed in the Draft. But, of course, I am more than happy to answer specific questions about any policy included in the Draft.

After that, I will share, I will take a quick break to answer questions.

Then I will share more about the proposed changes to Part II of the Seaport Plan and that is like the actual mapped boundaries of the Port Priority Use Areas in BCDC's jurisdiction and some related policies.

And then finally, I will outline Next Steps.

First, just some background about the historical and legal policy context for the Seaport Plan. Most simply, you can think of the Seaport Plan as a more specific application of the San Francisco Bay Plan. The Bay Plan has a section of findings and policies specific to the ports. Those findings state, in paraphrase, that in the absence of a central agency to coordinate the planning and development of Bay Area seaport terminals, there is a risk of unnecessary Bay fill.

And then it goes on to state that a Seaport Plan is basically therefore needed to coordinate the port planning and development in order to minimize those risks of fill.

in the early 1980s, I think actually even in the late 1970s, BCDC began to work with the ports, as well as the Seaport Planning Advisory Committee, and I will talk more about the Committee in this presentation, to create the first Seaport Plan, and it was published in 1982.

The existing Plan was actually published in 1996. And as you will learn during this presentation, it took a really prescriptive approach to planning for marine terminal development on a project-by-project basis. But again, with that goal of minimizing Bay fill.

Of course, a lot has changed since 1996. And because many of the Plan's policies are outdated, the Commission decided that there was a need to undertake a comprehensive update, and that's what we have been working on for the last couple of years.

Some familiar things here but that is some basic context about the purpose of the Seaport Plan. I also want to explain a bit more about how the Plan works and how it fits into BCDC's authority.

As you know, the McAteer-Petris Act enables the Commission to reserve upland areas along San Francisco Bay for various water-oriented uses. One of those is for ports, so these are called Port Priority Use Areas. Within the Port Priority Use Areas, the only uses that are allowed are those that are basically for port purposes or sometimes other temporary uses.

The intent of this designation is that by reserving specific areas for maritime cargo, as a region we can make sure that those areas are available for port use, thereby minimizing the amount of Bay fill that might be needed for future port development.

The Seaport Plan designates these Port Priority Use Areas across the five Bay Area ports. You can see up on the slide that includes the Ports of Benicia, Oakland, San Francisco, Richmond and Redwood City. There are also two reserve areas in the Seaport Plan that were never developed at Selby and the Concord Naval Weapons Station, and I will talk more about those. Then it applies some specific policies to these areas.

Finally, as you might recall from previous presentations, the findings and policies in the Plan are underpinned by a regional Cargo Forecast that helps us to understand cargo growth and capacity across the Bay Area. The previous Cargo Forecast expired in 2020 and that was another impetus for updating the Seaport Plan.

You might remember some of this, but BCDC worked with a private consultant to develop a new Cargo Forecast, with the ports providing some specific information about their cargo activities, over the course of several public meetings in 2019 and 2020. The new Cargo Forecast was approved by the Seaport Planning Advisory Committee I think in May of 2020 and it is a 30 year forecast, so it sunsets in 2050 now.

We have circulated an addendum to the Cargo Forecast with today's meeting materials that reflects some information learned during the Commission's consideration of a different Bay Plan Amendment, BPA 2-19.

You might recall, it basically forecasts for the three major types of cargo that move through the Bay Area ports. Those are container cargo, roll-on/roll-off or Ro-Ro vehicle cargo, and the third is dry bulk cargo. In the Bay Area a lot of that is construction materials.

In addition to the growth and demand forecasts, it also has a high-level overview of capacity just within BCDC's existing Port Priority Use Areas. In other words, it describes where is there still room for expansion at the existing marine terminals in San Francisco Bay within BCDC's jurisdiction.

For BCDC staff, the Cargo Forecast is an important tool. It provides underlying data that we use to evaluate requests from the ports based on Seaport Plan policies. And the Forecast anticipates growth across all three of these cargo types through 2050, which will require us as a region to plan carefully for the future.

BCDC has a Seaport Planning Advisory Committee, or SPAC. The SPAC oversaw the development of the original Seaport Plan in 1982 and all of its subsequent updates, including this one.

The SPAC is an advisory body to BCDC's Commission, whose purpose is to provide expert advice and some stakeholder input on seaport related matters.

The SPAC currently composed of representatives from the five Bay Area ports, BCDC Commissioners, MTC and ABAG, the San Francisco Marine Exchange, Caltrans and Save the Bay.

As part of this planning update, we are proposing to make a few revisions to the composition of the SPAC and I will talk about that in a couple of minutes.

I also want to mention that Commissioner Rebecca Eisen is now chairing the SPAC, and Commissioner Karl Hasz has stepped in as Vice Chair. I really want to thank them both for joining the committee and providing detailed feedback on the Draft Seaport Plan.

Commissioner Eisen especially has taken her red pen to the Draft Plan at a couple of different stages in its development and provided numerous invaluable edits and suggestions.

At this point, if there are any grammatical errors in the Seaport Plan it is probably because I managed to reintroduce them after Commissioner Eisen fixed them.

With that general overview in mind, I will recap the major reasons for updating the Seaport Plan now.

As I mentioned, we needed to update the regional Cargo Forecast.

We needed to remove some outdated information and update the Plan's findings and policies.

We wanted to introduce some new topic areas, especially on climate change and on environmental justice and social equity, to align the Seaport Plan with changes to the Bay Plan that have occurred over the past few years.

We wanted to respond to requests from the ports to amend the boundaries of their Port Priority Use Areas. Most of that is to reflect on-the-ground changes to cargo activity that have occurred since the Seaport Plan was last updated.

And last but not least, we wanted to generally realign the Seaport Plan to better reflect the scope of BCDC's authority and to encourage more regional coordination.

Those specific needs translated to a few key policy goals that have guided our work on the new Plan.

First, we want to have policies in the Plan that provide clear and streamlined guidance for ports about what they need to provide to BCDC when they have a project, or when they want to request a change to their Port Priority Use Area boundaries. The intent of that is to streamline permitting and changes to plans for the ports, and also to give clear guidance to BCDC staff when they evaluate those proposals.

We want to provide more flexibility for how the ports develop, while minimizing Bay fill and ensuring that we are retaining enough capacity as a region for our port system.

We want policies that are more firmly rooted in BCDC's authority to minimize Bay fill, promote water-oriented uses, and maximize public access to the Bay.

And finally, we want a Seaport Plan that is clear and simple to understand, with less redundancy and policies that are going to stay up to date, even as specific projects come and go.

Although it is impossible for a Plan to be totally timeless, that was the idea that we tried to keep in mind when we were removing all these outdated policies and drafting new ones.

Taken together, the purpose of all of this is to facilitate and streamline the permitting for port projects by making the Plan easier to read and easier to use, and we believe that the Draft Plan achieves that vision.

Next, I will talk a little bit about the timeline, which has been prolonged, and this is even a relatively condensed version.

But as you might remember, the Commission voted to initiate a Bay Plan Amendment to update the Seaport Plan in 2019.

BCDC staff then began to work with a private consultant to develop the Cargo Forecast, again with the guidance of individual ports as well as the SPAC, and the new Cargo Forecast was published in May of 2020.

After that, staff began to work with the ports on specific requests that they were submitting to modify the boundaries of their Port Priority Use Areas. I will show you those maps in a few minutes. But that process was ongoing in 2021.

But, as mentioned earlier, we had to pause work on the Seaport Plan while the Commission was considering Bay Plan Amendment 2-19 because that had a legislatively-imposed timeline associated with it.

We are able to resume work on the Seaport Plan last fall. We began by basically reaching back out to the ports and port staff resumed working on those map changes, and at that point we were able to also start drafting new findings and policies for the Plan.

We circulated the first public draft of the new Seaport Plan this July and held a public meeting of the SPAC to review the draft. The SPAC voted unanimously to approve the Draft Seaport Plan in that meeting, with the understanding that BCDC staff would be incorporating some revisions and feedback that came up both before and at that meeting.

We did exactly that. We incorporated some changes to the first draft of the Plan based on input from SPAC Members, from the ports and from other stakeholders who provided public comments and there is a section in today's Staff Report that describes exactly what those changes are.

We then sent the revised the Draft Seaport Plan to you at the end of September.

And that finally brings us to the present.

After today's public hearing, we will undertake a final round of revisions to the Plan as needed and then circulate a Final Staff Recommendation that describes any last changes along with a copy of the Final Draft Plan.

Lastly, we will hold one more public meeting for the Commission to make a vote on the new Seaport Plan.

It has been a substantial process. I think we have had about five public meetings of our Seaport Planning Advisory Committee, various briefings to different stakeholders, and individual meetings with some of the different ports and the port staff too. But all of it has substantially improved the Draft Plan and we are excited to share it with you today.

Before I get into the content of the new Draft Plan, I want to take one moment to address the status of Bay Plan Amendment 2-19, which as you know, was a separate Bay Plan Amendment from this general Seaport Plan Update.

As you may recall, the Commission voted to remove the Port Priority Use Area from the Howard Terminal site at the Port of Oakland in June of 2022 at the request of the Oakland Athletics along with the city of Oakland and Port of Oakland.

However, Howard Terminal remains subject to the requirements of Assembly Bill 1191. I want to highlight a relevant provision of this bill. Sorry for all the text but I will read it. It states:

“If the port and the Oakland Athletics have not entered into a binding agreement by January 1, 2025, that allows for the construction of the Oakland Sports and Mixed-Use Project, the Port Priority Use Designation shall be automatically reinstated on the Howard Terminal property as if it had not been deleted pursuant to BCDC’s Seaport Plan and Bay Plan amendment process.”

Again, the removal of that designation from Howard Terminal was a separate Bay Plan Amendment from the currently proposed Seaport Plan. The Commission already acted on it last summer, so BCDC staff does not propose to make any changes to the current status of Howard Terminal as part of this general update to the Seaport Plan.

However, should an agreement not be reached between the port and the Oakland Athletics by January 1, 2025, at that time BCDC staff will revert the Port Priority Use Area back to Howard Terminal pursuant to the requirements of that bill.

The first draft of the Seaport Plan that we circulated to the SPAC in July did not include Howard Terminal in some of the Seaport Plan's tables, and that raised a concern for some stakeholders due the fact that Howard Terminal may in fact go back into port priority use.

In response to those comments, staff revised the Draft Seaport Plan that we sent to you today to include Howard Terminal in the relevant table of the Plan that basically lists out the marine terminal expansion sites in San Francisco Bay, with a footnote to describe its unique status.

I want to clarify that BCDC staff have intentionally used a light touch here in the updated Seaport Plan regarding Howard Terminal in order to minimize the process necessary to add Howard Terminal back into the Seaport Plan in the event that the Commission must revert the port priority use back to that site on January 1, 2025. In other words, we are thinking about how to make it simple and easy to add Howard Terminal back into port priority use. We are not trying to avoid the issue or trying to create any barriers meeting the requirements of that bill.

Sorry, that is a lot, but that is an overview of the process and timeline today.

Now I am actually going to shift to content and preview some of the proposed policy changes to the Seaport Plan. This update is technically a revision to the existing Seaport Plan, but we are substantially revamping the entire Plan.

Second, this is going to be a high-level overview of the topic areas and how they have changed from the 1996 Plan to the new draft. But again, happy to go into depth about any particular policies after the presentation if you have any questions.

First, as I mentioned, the entirety of the Seaport Plan has been rewritten. The introduction to the existing 1996 Plan. If you take a look at it, it is really technical. We tried to scale that back in the new Draft Plan to improve the Plan's general readability and clarity.

We recognize that the Seaport Plan, it is a regulatory document, and many of the people who access it are likely to be port staff or other BCDC applicants. But we wanted to use this opportunity to make sure that anyone who picks this up can learn about BCDC, understand BCDC's roll as it relates to the ports, and learn some basic information about the five ports and why they are vital to the regional and national economy.

The introduction lists some major goals of the Plan. Then it explains BCDC's authority. It talks a bit about the history of the Plan and how it was updated. And then there are some nice summaries of each of the five ports and their activities. The language for that was actually provided by the ports themselves, which was really nice of them. And then there is a high-level summary of the 2050 Cargo Forecast.

Then we get to the actual policy topic areas. In each of these topic areas there are numerous findings and policies. I will go into each of these topic areas in the next few slides.

But first, as an overview, you can see that there are four new topic areas. One is on the Seaport Planning Advisory Committee itself. And then Climate Change, Environmental Justice and Social Equity, and Regional Coordination and Future Seaport Plan Updates.

We are also retaining a couple of topic areas and revising them in the new Plan. One of those is on Preserving and Enhancing Port Priority Use Areas and the other are the policies for the Cargo Forecast itself.

And then finally, we are proposing to remove two topic areas, not because the issues themselves are unimportant, but just because they have essentially become outdated and redundant with other regional planning efforts or other efforts that BCDC has undertaken.

But we actually retained still a couple of policies, particularly related to ground transportation, but have brought them over to that new section about regional coordination.

That is a high-level overview of what is happening with the topic areas.

The first top new topic area, it is specific to the SPAC itself. The SPAC was established originally, through a memorandum of understanding, an MOU, between BCDC and MTC in 1978. But the existing Seaport Plan, the 1996 Plan, it does not have any findings or policies that specifically describe the purpose and the role of the SPAC.

We thought it was important for this to be spelled out in the Seaport Plan itself. We have added two new findings and policies to clarify the composition, roles and responsibilities of the SPAC.

We have also proposed to make a few changes to the composition of the SPAC. I know the slide is a bit hard to read, but basically, we are proposing to remove a couple of defunct positions. For example, there is an appointment for someone from Encinal Terminals, which does not exist anymore. We are proposing to rebalance the BCDC and MTC and ABAG appointments. And we are suggesting adding two new members from community-based and/or environmental justice organizations, and one new member from the maritime industry stakeholder.

We hope that these proposed changes are going to strengthen the SPAC's role as an expert advisory group to the Commission.

But I also want to emphasize, and this is also described in a finding about the SPAC, that the purpose of the SPAC is to provide basically expert technical advice to the Commission. The SPAC provides an opportunity for some stakeholders to advise the Commission on port-related topics, but consultation with the SPAC is not a substitute for the meaningful involvement of near-port communities in the Commission's decision-making processes. The emphasis of the committee itself is really on their technical expertise.

Next, we will talk about the policies for the Cargo Forecast. We have written some findings that basically summarize some of the major conclusions of the new Cargo Forecast and there are two policies in this topic area.

The first describes how the forecasts should be monitored and updated. The second one describes how the SPAC, and the Commission should implement and rely on the forecast. Those policies in part state that the Cargo Forecast should be updated at least once every 10 years, but there are also other allowances for updates, basically based on the Commission's discretion.

Next, we will talk about the policies for the Port Priority Use Areas. These are the bulk of the policies that would be relied on when a port or another entity needs a permit for a specific project in BCDC's jurisdiction.

We are proposing to simplify four topic areas from the 1996 Plan by combining them into a single, consolidated, Preserving and Enhancing Port Priority Use Areas topic.

The 1996 Plan had some outdated cargo-specific policies that we are basically wanting to remove in favor of a single topic area that is a bit better aligned with the scope of BCDC's mission and authority.

This topic area has a range of policies. Most of these relate to development or allowable uses in Port Priority Use Areas. I am not going to go into all of these, but this includes the policy for adding or removing Port Priority Use Areas, policies related to Bay fill, and developing or changing the use of marine terminals, and some other topics like interim uses, public access, ferries and historic buildings. Happy to answer any clarifying questions about any of these policies again.

In this section, staff basically sought to improve the clarity of the findings and especially the definitions of different terms. There is also a general focus on the process and the standards that the Commission should apply to different projects.

Combined, we hope these changes are going to provide clear guidance to ports as well as for BCDC staff to use to evaluate proposals. Basically, here is the information to provide on an application; and here is what the information needs to show to be consistent with the Seaport Plan. Trying to remove any ambiguity and help to streamline permitting.

We are also proposing to add a new topic area on climate change, which is not addressed in the existing Seaport Plan. The intent of this topic area is really to align the Seaport Plan with Bay Plan policies. This topic area is pretty brief, recognizing that the Seaport Plan itself is unlikely to be a driving force for climate adaptation planning in the Bay Area. Rather, the findings and policies are intended to bridge and reference out to existing and planned efforts to address sea level rise. They are not necessarily new requirements but instead they reflect requirements that are already laid out in the Bay Plan policies on climate change.

There are four new findings in there that summarize the importance of ports, their general vulnerabilities, BCDC-led adaptation efforts, and the role of the ports in emergency response.

There are three new policies you can see up on the slide. They speak to the need to include the ports as critical stakeholders in adaptation planning efforts, the need to incorporate sea level rise considerations into any future updates to the Seaport Plan or the Cargo Forecast, and we need to recognize the role of the ports in disaster response.

We recognize that many of the ports are undergoing their own sea level rise planning processes, those are rapidly evolving in different stages.

Of course, BCDC has its own major planning process, Bay Adapt, and that is going to impact how local governments and ports plan for rising sea level.

Now that SB 272 has passed, that is going to be a primary planning focus for BCDC's climate change work. We want to make sure that the ports are included as a critical part of that process. And as a result, for the Seaport Plan itself, we want those policies to act as a bridge to provide guidance while we will see how the planning landscape evolves over the next few years.

We have also introduced a new topic area on environmental justice and social equity. This is again to align the Bay Plan policies on environmental justice and social equity that were adopted in 2019.

As you know, the Bay Plan requires equitable, culturally- relevant community outreach and engagement to be conducted by local governments and project applicants to meaningfully involve potentially impacted communities for projects that are in underrepresented, vulnerable and/or disadvantaged communities.

Those policies also require applicants to identify potential disproportionate impacts of projects and take measures through environmental review and permitting processes to require mitigation for any disproportionate adverse project impacts. Those requirements, of course, also apply to any activities in the Port Priority Use Areas.

In the Seaport Plan we have introduced three new findings that describe general port-related environmental health impacts, efforts to reduce environmental burdens, and the role and authority that BCDC and other agencies and municipalities have in reducing environmental justice impacts.

We have introduced three new policies here. The first one reinforces the applicability of the Bay Plan policies that I just mentioned.

The second focuses on BCDC's support for port-led projects to transition to zero-emissions ports. And the purpose of this policy is to help streamline permitting projects for things like shore power improvements or other infrastructure modifications that could be proposed in the Port Priority Use Areas.

The third policy speaks to regional collaboration and future plan updates.

Importantly, there are other policies in the Draft Seaport Plan that have EJ-related requirements, but sometimes those requirements are woven into the appropriate relevant policies themselves.

For example, the policy for adding or removing Port Priority Use Areas will now have a requirement consistent with a Bay Plan for applicants to undertake meaningful community engagement and an assessment of consistency with the Bay Plan EJ and social equity policies.

As I mentioned, we are proposing to remove dredging and navigation findings and policies from the existing Seaport Plan. Those policies were written prior to the completion of the Bay Area Long Term Management Strategy, or LTMS, for dredging back in 2001, so they have been around for a while; and the Bay Plan already contains policies on dredging.

We looked at this and did not identify any issues that are not already covered by the Bay Plan or LTMS are other existing efforts, so we are basically going to remove that section from the Seaport Plan just to prevent redundancy.

I want to emphasize this does not alter any of the policies that the Commission has been relying on to evaluate dredging projects, this was just a cleanup of outdated information.

Finally, we are proposing to delete a topic area that included some ground transportation policies that spoke more directly to MTC's prior role in the Seaport Plan. But instead, we developed a new topic area called Regional Coordination and Future Seaport Plan Updates, to better reflect BCDC's role and jurisdiction.

The first two policies here were previously in the ground transportation topic area of the Plan and we have brought them into the new Plan with some minor revisions.

The first speaks to the need to preserve access to marine terminals and the second focuses on mitigation related to environmental impacts of traffic.

Policy 3 here is new. It encourages BCDC and MTC to coordinate regarding map changes when either BCDC updates the Seaport Plan or MTC updates Plan Bay Area. Basically, BCDC and MTC want to make sure that we are working together to align our regional thinking and reduce any potential conflicts in these different land use categories.

Finally, Policy 4 here sets minimum requirements for updating the Seaport Plan and encourages future updates that we do to actually be synchronized with the timing of MTC's San Francisco Bay Area Goods Movement Plan and/or Plan Bay Area updates when possible. The next time we go to update the Seaport Plan we hope and plan to be coordinating the timing of that with some of MTC's work.

That is an overview of all the policy changes to the Plan. Before I talk about Part II of the Plan, which actually has the maps of the Port Priority Use Areas and some policies related to something called Marine Terminal Designations, I thought I should pause here just to answer if there are any brief clarifying questions from Commissioners about just what I have presented so far.

Chair Wasserman asked: Any questions or comments from Commissioners thus far?

Commissioner Gunther chimed in: Cory, you had said that the Cargo Forecast is really a critical component of the Plan. My memory from our previous hearings was that there was really unavoidable uncertainty in the Cargo Forecast. I remember, particularly, projections of Ro-Ro cargo were really influenced by, like, a decision Tesla might make. I was wondering, what does it mean if the forecast proves inaccurate; and was there a previous Forecast that we were able to look at and see how accurate the projections were?

Mr. Mann replied: Great question, thanks. I think that is right. I think there is absolutely some inherent uncertainty to forecasting. It is definitely really challenging, especially doing something that is specific to the Bay Area region, and I think that we have to keep that in mind in our decision making.

We really thought about that when making the policies, new policies for the Cargo Forecast itself. One of the policies calls for the Commission and the SPAC in coordination with the ports to try to monitor the region's cargo volumes, marine terminal uses, and ship calls as needed, and also to keep an eye on emerging trends that could impact the region's cargo capacity.

For example, infrastructure for zero-emissions truck charging, offshore wind has come up, and trying to continuously collect and assess that data.

We also added a bit more flexibility in the Seaport Plan for first the Commission to require comprehensive updates to the Cargo Forecast if growth is significantly deviating from expected trends. Or if a particular change like adding or removing a Port Priority Use Area could impact the region's capacity to handle cargo growth. There is quite a bit of flexibility in there for the Commission.

I guess similarly, there is another policy we added in terms of implementing the Cargo Forecast. You might remember it has some different growth scenarios and it has a moderate growth scenario which was developed basically as like the baseline forecast. We put a policy in there saying the SPAC and the Commission should generally rely on that baseline forecast. But the Commission can always consider new information on cargo growth if it is deviating from that trend, in order to supplement the Cargo Forecast. And we all said, when possible, it should be updated prior to the Commission's action on a particular issue. Those are the ways that we tried to think about how to address and mitigate for that.

Commissioner Showalter chimed in: Yes, this is just very, very fascinating. I just wanted to make mainly a few comments, I have a couple questions too. One comment is that this is a Seaport Plan, but it is really a Seaport Plan related to cargo.

Seaports do other things in our world besides just cargo. They are used for recreation and there is public access. There are other things that we use our seaports for. Wind power was mentioned as locations at seaports because it is often very, very windy along the edge of water bodies.

But another thing I wanted to mention is that on a large view when we are talking about climate change, in here we have talked about how to protect the seaports. But another thing I think we want to talk about, in a sense, is how do seaports protect us? Because when you think about the energy that is involved in moving cargo, it is much, much more efficient to move it by barge than it is by airplane, and particularly from GHG emissions. It depends a lot on how the ships are powered, but there are opportunities for that to be improved dramatically. So, when we think of contributing to climate change improvements, this is not so much of an adaptation thing, it is a mitigation, a huge mitigation. Allowing this cargo industry to persist and prosper in our area is just a long-term big mitigation. So, I wanted to mention that.

I also wanted to say that just these structures. These seaports themselves, they are sea level rise infrastructure, they do function that way. The roads inside them often function as levees, interior levees for flooding. We do not usually think about it that way but if you look around the Bay Area it is really clear that our roads are the ultimate levees.

And then another thing I wanted to mention that is sort of the opposite is from an endangered species protection point of view. Cargo ships have been a very bad actor over time in bringing in invasive species either in their bilge water or on their hulls. How we operate seaports can be protective of our natural biodiversity.

Now, I presume that NOAA Fisheries is taking care of that, we are not taking care of that. But I just wanted to mention it as another environmental issue that is associated with this that we should just be keeping in mind in the big picture.

And then I also would like to say just as a question, this is silent on dredging and that is because, of course, of the LTMS since 2001. It is also because of the policy work that we are doing in the Sediment Working Group right now to produce new policies for the Bay Plan. That is being dealt with in a very detailed manner somewhere else and I just wanted to confirm with everybody that yes, that is the case.

Then my other question, more detailed, is about Policy 5. Policy 5, Cory, is Bay Fill for New Marine Terminals. When I read Policy 5, granted, it does have language that seems similar to the McAteer-Petris Act, but it also seems very restrictive. All available berths will have been used. All reasonable investments. No other feasible alternatives. Does that give us the flexibility that we may need in the future?

Mr. Mann explained: There are two related policies that are right next to each other there, there is the Bay Fill for New Marine Terminal Policy and there is the policy on Bay Fill to Develop Existing Designated Marine Terminal Sites. Policy 5 there, Bay Fill for New Marine Terminals, is basically, that policy is oriented toward if a brand-new marine terminal was to be proposed where one does not currently exist. That is the kind of project where you would be contemplating much larger volumes of Bay fill than a site that is being redeveloped. So that is why the standard there is high. If you have anything to add to that, Erik.

Mr. Buehmann added: Yes. I can say it also echoes the McAteer-Petris Act requirements. We are talking about just Bay fill for port use.

The McAteer-Petris Act requires the public benefits of fill have to exceed the public detriments of the fill. It has to be for water-oriented use, ports or water-oriented use. It has to be the minimum fill necessary and have no alternative up location.

And when we are dealing with Port Priority Use Areas and potentially new marine terminals that could exist outside of those Port Priority Use Areas, we want to be thinking about that alternative upland location. That is sort of why we are reserving those priority use areas to ensure that there is not fill in the future for someplace that already has a location. That is sort of why we drafted it that that way.

The Port Priority Use Areas can always be added to or changed based on regional needs over time and that would be what we would probably recommend in that case. But you never know what might come up.

Commissioner Showalter acknowledged: Thank you.

Commissioner Gioia commented: Thanks for this very good presentation. I had just one comment. On the BCDC appointments to the SPAC one of them says, community-based organization, environmental justice organization, appointed by BCDC. I would like to see if we could just add to that description a CBO or EJ organization from a community impacted by one of the ports.

What we do not want to have is, let's say someone applies that is near the Port of Oakland, versus someone who may come from a EJ community that is nowhere near a port. So, I would like to see if we could add that descriptor that it would be one of those organizations representing communities impacted by a port. Can we do that?

Mr. Buehmann replied: Yes. Thank you for that recommendation.

Chair Wasserman continued: Anybody else on the Commission?

Cory, you have Part II of your presentation.

Mr. Mann presented the second half of the presentation: This is both Part II of the presentation and Part II of the Seaport Plan. This part of the Seaport Plan is called the Marine Terminal Designations, and we are proposing some changes in terms of how we approach this in the new Draft Plan. And then finally, I will also review the maps of the Port Priority Use Areas themselves and the changes that have been requested by the individual ports. Another relatively high-level overview, but of course, I am happy to take questions again on anything specific.

First, we will talk about these marine terminal designations, which are part of the existing 1996 Seaport Plan. I am sorry this is a bit in the weeds, but it is a big component about how the 1996 Plan works, so I wanted to make sure to describe how this is changing.

I mentioned at the beginning of the presentation that the Seaport Plan applies specific policies to the Port Priority Use Areas.

In the existing Plan, it basically allocates projected cargo volumes to every marine terminal in BCDC's jurisdiction.

I have included an example table from the Port of Oakland up on this slide, but it works the same for any of the ports. This table basically assigns out cargo volumes and cargo types to each of the ports based on the Cargo Forecast projections. Then there is a policy accompanying each of these tables that basically says each of the marine terminals should be capable of handling these projected volumes of cargo by 2020.

The idea at the time was that we could accurately project cargo volume and assign it out to the five ports and anticipate where Bay fill was going to be needed to meet the region's needs.

But as you can imagine, in practice, allocating specific cargo types and projected volumes to individual terminals is very difficult for a few different reasons. First, and this already came up, but unless the Cargo Forecast and the Marine Terminal designations are updated very frequently, this information is going to be outdated by the time a specific project or permit arises. Indeed, these tables have not been updated in quite some time.

Second, as I was getting to, this approach makes assumptions about where future development and Bay fill might occur; and those assumptions are also unlikely to be accurate as conditions and as technology and as other things change.

The proposal from staff is basically to remove those terminal designations to simplify the Seaport Plan to provide a little bit more flexibility for the ports. But we do not think we are going to be losing anything by making this change.

We already have policies in the Seaport Plan to guide the Commission's decision-making about permits or about projects that might be requested by the ports. And we have worked to make these policies more robust and clearer in the update.

Of course, we can still rely on information from the Cargo Forecast to make decisions. But by not having all of these tables in the Plan it is going to simplify the Seaport Plan, how it reads, basically make it more approachable to understand. That is our suggested change for that.

Finally, I will get to the actual maps themselves. Beginning in 2021, BCDC received requests to modify the Port Priority Use Area boundaries from the Port of Redwood City, the Port of Richmond, the Port of San Francisco, as well as the City of Oakland. BCDC also received public comments requesting to remove Selby's status as a reserve Port Priority Use Area.

Why does this matter?

As I explained earlier, the only allowable uses in Port Priority Use Areas are for cargo or other related uses. Adding the Port Priority Use Designation basically protects a site for port uses. Conversely however, removing a Port Priority Use Designation from a site does not actually prevent ports from using that area for cargo purposes, they can certainly still do that, but it does free the site up to potentially be used for non-port use. That is why it matters.

At its March 2021 meeting the SPAC received a presentation by BCDC staff summarizing staff's analysis of these changes. As you may recall, proposed deletions of Port Priority Use Areas must be consistent with BCDC's policies for removing Port Priority Use Areas, General Policy 4 in the existing Plan. It states that deletions should not detract from the regional ability to meet the projected growth in cargo.

But in addition to that analysis, staff also summarized information on some other relevant topics including port planning and operations, land use consistency and compatibility, public access, sea level rise, environmental justice, and Bay fill, to provide some additional context for the SPAC in making its recommendation on the ports' requests. potential environmental impacts associated with these proposed map changes have also been analyzed in the environmental assessment that we distributed in September, and the environmental assessment concludes that the proposed project would not result in any substantial adverse environmental impacts.

The Cargo Forecast did not identify any of the areas being requested for removal from Port Priority Use as being feasible sites for cargo handling, and thus staff have concluded that those requests are consistent with the Seaport Plan Policy. In effect, it means these removals were accounted for already in the Cargo Forecast since these were not active sites and making these changes will not impact what the Cargo Forecast says.

Staff also asked the ports to undertake meaningful community engagement with their respective communities, commensurate with the nature of the changes that they requested regarding the proposed map changes.

Some ports had already taken outreach related to their own processes or their own requirements. There are meetings. There are boards. And some others undertook outreach specific to BCDC's request. That outreach is also summarized in the Staff Report. But neither the ports nor BCDC staff identified any specific concerns related to the proposed map changes.

Finally, the SPAC voted in favor of the proposed changes, both at its March 2021 meeting and then again, this July when approving the Draft Plan.

I will quickly run through each of these four requests.

First, the Port of Redwood City is planning a future expansion of a wharf to accommodate a new Omni-Terminal that could accommodate dry bulk or Ro-Ro cargoes. In order to ensure that area is protected for future port use the Port is proposing to add about 1.3 acres to the wharf to an area south of Wharf 5 to the Port Priority Use Designation. Staff analyzed that request in 2021 and recommended, and still recommend, approving it.

The city of Richmond has requested the removal of the Port Priority Use Area from the Graving Docks, as well as a building south of the Point Potrero Marine Terminal due to their historic status, as well as the site at the southern terminus of Harbor Way South there on the right hand side.

Those docks are part of the Rosie the Riveter National Historical Park, and the Harbor Way site is currently a parking lot adjacent to the ferry terminal. That lot provides public parking for shore access and includes a public fishing pier and paths that connect the lot to the Bay Trail.

Again, those sites were not identified in the Cargo Forecast as being viable for continued cargo use and the staff also recommended and continue to recommend approving that request.

A few different changes for the Port of San Francisco. Pier 48 up to the north there and a related area were actually already removed from Port Priority Use in 2016 per an Assembly Bill that found that the pier is a contributor to the Embarcadero Historic District and no longer viable for cargo operations. In that case we are just updating the maps.

The Port also requested to reduce the size of the Port Priority Use Area at Pier 50. The pier is no longer viable for breakbulk operations, but the Port is still reserving some area there for other maritime purposes such as port maintenance.

At Pier 70, the Port requested to remove about six acres of Port Priority Use Area. That also includes a pier that was actually already physically removed, so it is literally just Bay now, as well as an area that encompasses some historic buildings and parking.

Finally further south, the Port requested to remove about 10 acres of Port Priority Use from Pier 94. That is due to the presence of a wetland as well as 15 acres from upland sites, basically due to their significantly higher elevation relative to the marine terminals.

They also requested to add 10 acres between Piers 92 and 94 to reflect where there are already current dry bulk operations, but to make sure that areas protected for future port use.

Again, this was all analyzed in 2021 and staff found that none of those sites requested for removal were identified as feasible sites for cargo handling and continue to recommend approving those requests.

Finally, later in 2022 the city of Oakland approached BCDC about a request to swap a Port Priority Use area that is just used for ancillary port activities, as illustrated on this slide. The swap would result in a net addition of about 1.2 acres of Port Priority Use Area.

That request stems all the way back to an early 2000s agreement between the City and the Port that they both made to provide truck parking when the Oakland Army Base was redeveloped. The site that the City wants to re-designate for Port Priority Use has a better location and accessibility to support those truck parking areas and kinds of maritime services than the currently designated area.

Both of the areas being proposed to be added and removed respectively are inland from the marine terminals, so neither site was identified in the Cargo Forecast for cargo handling.

Both of these sites are also well outside of BCDC's permitting jurisdiction, so BCDC's approval of the Port Priority Use swap here one way or the other would not impact the city of Oakland's ability to develop that site for truck parking.

But because the proposed uses of the new site are more consistent with the intent of the Port Priority Use Designation than the currently designated one, staff also recommended approving that request.

I mentioned that the existing Seaport Plan, the 1996 Plan, also designates two Reserve Port Priority Use sites and those are the Concord Naval Weapons Station and Selby.

The Concord Reserve Area was previously a navy military base called the Concord Naval Weapons Station. In 2005, the Navy transferred part of that base to the Army and this Port Priority Use Area is now occupied by a portion of the Military Ocean Terminal Concord, MOTCO.

The Selby site on the right there was another reserve area. It was previously the site of a smelting operation that produced slag as a waste product and deposited it on the site. Some of you might be familiar, that site is undergoing remediation for extensive heavy metal contamination.

As I mentioned earlier, BCDC received public comment letters from concerned citizens in the area near Selby requesting that we remove that site from Port Priority Use.

Staff looked at both of these sites. They were both designated for Port Priority Use in 1982 as possible reserve sites that the region could potentially activate and develop if needed for cargo handling. But no plans to develop either site for port use have emerged in the 40 years since,

So, staff are recommending to remove the Port Priority Use Designation from both of those sites.

The timeline or feasibility of redeveloping either of them for cargo use is unclear. Of course, either of these sites could be added back into port use in the future. But at this point we are recommending to the Commission that should occur as part of its own process in the future if it ends up being warranted.

Those are the last of the proposed changes to the Port Priority Use Area boundaries.

Finally, just want to let you know what is happening from here. After today's public hearing, staff will work to revise the Draft Plan in response to any Commissioner feedback or public comments.

After that, we will release a Final draft of the Plan along with the Environmental Assessment again and our response to comments and some other information that makes up the Final Staff Recommendation to the Commission. Tentatively, those items might be mailed on November 10.

Finally, there will be another Commission meeting to vote on whether to adopt the new Seaport Plan. Again tentatively, we might hold that vote at the next Commission meeting on November 16 depending on the extent and nature of any requested revisions.

I also want to conclude by thanking everyone who has contributed their time to getting to this point. This was a challenging project; there were delays. I really want to thank the five Bay Area ports and their staff for working and sticking with BCDC on this project, members of the public and other organizations that have provided public comment and feedback along the way, as well as the Seaport Planning Advisory Committee Members, including, again, Commissioner Eisen and Hasz for their guidance.

BCDC staff want to extend our gratitude to our former Commissioner Jim McGrath for his support as a member of the SPAC during earlier phases of this project.

We also want to acknowledge our late Commissioner, Vice Chair Anne Halsted. She chaired the SPAC when this was initially launched, and this would have not happened without her leadership.

That is it for me and I am happy to answer any further questions.

Chair Wasserman announced: There may be questions, but we are actually going to open the hearing. I would like to start by offering any members of the SPAC or any port representatives if they have any comments. Anybody out there in public land, Reylina?

MS. RUIZ noted: No public comment.

Chair Wasserman continued: All right. Commissioner Ranchod.

Commissioner Ranchod chimed in: I just had one comment on the Environmental Assessment, or a question really, which was, I think in the documents that we got it stated that there was not any evidence before BCDC of any fill or development proposal in association with this proposed Seaport Plan Update. I just want to confirm that was still the case; if staff can confirm that.

Mr. Ng responded: I can probably field that question, Michael Ng, staff attorney, filling in for Greg Scharff today. The discussion of subsequent projects in relation to the removal of the PUA Designations is related to a concept in CEQA basically of evaluating the indirect effects or environmental consequences of what is before you today, updating the Seaport Plan. So obviously, those projects are not part of this project, the Seaport Plan Update.

But there has to be a consideration of whether there will be sort of these indirect effects vis-à-vis those projects as a result of what we are doing today. Based on our work with the consultant, the evaluation was basically that those projects, while there may be general discussion or ideas floating out in the ether about the possibility, that they are not, the key term of art is there are not reasonably foreseeable consequences of what we are doing. There may be some impetus to pursue those projects, but it is not because of what we are doing that those projects will be realized or the lead agencies will be pursuing those projects. So, that is where that statement comes from.

Chair Wasserman acknowledged: Thank you.

I will now go to the speakers in the room. We will start on the appropriate item with Sung Lee.

Sung Lee commented: Before I make my prepared remarks I would just like to thank the Commission and the staff for this wonderful report. Somebody from the trade community, if I can give you guys some immediate feedback, great, good job, looks awesome. All right.

My name is Sung Wook Lee, I am the President of CBFANC, Customs Brokers and Freight Forwarders Association of Northern California. Our professional organization of international trade professionals represents our clients before you. Our clients comprise importers and exporters in Northern California such as retailers, farmers, and manufacturers.

It is our position to support staff amended BPA 1-19 to include the stipulation that if a binding agreement is not executed between the Port of Oakland and the Oakland A's by January 1, 2025, the Port Priority Use Designation be automatically reinstated for maritime at Howard Terminal property.

I am also the Vice Chair of Northern California District Export Council, a private industry advisory board for the Department of Commerce. It is the position of the Export Council Advisory Board that BCDC support maritime business at the Port of Oakland.

State of California environmental goals, mandate clean trucks, clean port operations, and also clean container ships calling at the Port of Oakland. And to that end, President Biden and the infrastructure Bill has funded many critical infrastructure upgrades to the Port and to the trade community.

The state of California transportation industry will meet its goals set before us and we ask BCDC to continue to, and you have demonstrated with this report that you are, the goals of the federal government, state government priorities, to promote exports and trade with our trade partners and allies overseas. Thank you very much.

Evey Hwang commented: My name is Evey Hwang, I am a board member of the Customs Brokers and Freight Forwarders Association of Northern California, a fellow board member with Sung Lee.

I first want to really commend Cory Mann and the Seaport Planning staff. What an outstanding report. And I underlined, rewritten for readability and clarity. That is super, thank you so much.

We are users and supporters of the Port of Oakland and related maritime services. We continue to show up because as seaports stakeholders who care deeply for our home port's future, I want to express the importance of the Seaport Plan to include statements that if a binding agreement is not executed between Port of Oakland and Oakland A's by January 1, 2025, that the Port Priority Use Designation will be reinstated back to Howard Terminal property.

I would also request that any proposal for the Howard Terminal properties or any other port-adjacent properties that might be considered for residential or contrary to maritime services, that they undergo a thoughtful and transparent public review process.

Thank you for the opportunity for your consideration. We are grateful to BCDC for its continued thoughtful and transparent process for state lands in relation to maritime services at and adjacent port lands, which is really important. Let's keep the business at the port as growth-centric and sustainable into the future. Thank you again for all of the work that is done for our public use and maritime at the Port of Oakland. Thank you.

William Dow was recognized: Good afternoon, my name is Bill Dow or William Dow; a member of Local 6 ILWU, retired, and a member of our Northern California District Council.

I am coming here, like before, it is a working port. Oakland is a working port. Pardon me for a second. I am watching this clock; it intimidates me.

Anyway, I am here to urge you to put the Port Designation back on Howard Terminal. When you removed the Port Designation you sent out the wrong information to the maritime industry.

You said you are not interested in ports anymore. The Port of Oakland is too important for us in the area. It is a working-class port, and we have to keep it that way. By removing the Port Designation, you send out the wrong message. Put it back on, send out the message that the Port of Oakland is open for business. Thank you.

The floor was yielded to Melvin Mackay: Thank you Commissioners. Long time coming. Like Bill said, we sent the wrong message out to a lot of our shippers and to labor. When we started this, we hired over 1,000 people to work in these ports. We lost a lot of commodity here.

Today I heard something disturbing. We used to be number 3 and 4 in the world. Now we are number 10 to Georgia. We need to get back to where we were before this started. I appreciate what you guys have done and what you are doing. Thank you very much.

Susan Ransom approached the mic: Hi, I am Susan Ransom; I am SSA Terminal. We are the largest port tenant with the Port of Oakland and we are on the Inner Harbor.

Thank you so much for your time today to listen to comments regarding the importance of updating BPA 1-19 to the San Francisco Bay Area Seaport Plan to include a reference to the state law that requires that, and the third time we are going to say it, if a binding agreement is not executed between the Port of Oakland and the Oakland A's by January 1, 2025, that the Port Priority Use Designation will automatically be reinstated at the Howard Terminal property as requested to SPAC at our last meeting.

We look forward to being at the table and supporting the Port of Oakland on ideas for usage at Howard Terminal that would be relevant to growing the economy, a win-win for the Port, the City, environmentalists and maritime stakeholders.

As the A's have made their intentions clear after putting everyone through the wringer, we encourage BCDC to accept SPAC's Recommendation and accept the amendment to the San Francisco Bay Area Seaport Plan, it really is the right thing to do.

Last two comments. Commissioner Showalter, I personally invite you to SSA Terminal to show the great strides we have made environmentally. We have invested millions and millions of dollars into environmental cleanup in tandem with the Port of Oakland. Everybody on this Commission can come to SSA Terminal because I feel like important decisions are being made and you need to really come to see what the terminals are doing. For you, I am leaving you my card. Please feel free to give my email, my phone number to everybody here.

Lastly, as you know, part of Howard Terminal property is designated for the turning basin, which so far is moving forward. We are very excited about that. The Port of Oakland is a huge cheerleader for that, and it is needed for the future of Oakland.

We really appreciate your thoughtfulness today and please come see me at the terminal. Thank you.

Mike Jacob commented: Good afternoon, Chair Wasserman and Commissioners. Mike Jacob with Pacific Merchant Shipping Association. We represent marine terminal operators, ocean carriers operating all of California's public ports, including the Port of Oakland.

We did submit pretty extensive comments to SPAC at the July meeting, but I think it also goes without saying we have submitted comments that are pretty extensive at most of the SPAC meetings going back over the last four years. It was a long process. I am glad the staff recognized the efforts of both the former chairs, Chair Halsted and Chair McGrath, in this process.

It took a lot longer than it should have taken due to some distractions. But the product in front of you we think is not only sound in terms of the facts, based on a very robust and we think well done cargo forecasting exercise. But the staff then was able to synthesize those into improvements to our current Plan.

Take public comments. We submitted a lot of comments. And those comments really did range from small scale, nitpicky issues with respect to how individual policies were going to be addressed, versus other things that have changed over the scope of the last four years with respect to the market space, including new offshore wind development pressures, which did not exist at the beginning of the process, additional pressures on dedication of port property for things such as charging infrastructure for port trucks. Those are new developments, new pressures on property that did not exist before; they do exist now.

The process that was set up and proposed in this Plan takes those into account, provide a pathway not just for the Commission but for the public and for ports to maintain our important place in the fabric of the Bay. Which is, are water-dependent uses for industrial activities that cannot be replicated.

We cannot do what we do anywhere else except in the areas that you designate. Those are not getting bigger, and we do not anticipate they will be getting bigger over time. So, we have to use what we have more efficiently, more effectively, and move more product as the economy grows, as we have more people but also as we add more demands on our system, including for energy uses and things of that nature.

So, we appreciate the work. We appreciate you working with us on making this a better Plan moving forward. And, of course, I do not think it should go unrecognized that you are still hearing from stakeholders because we are here and we care about this process and our port investments, regardless of what happens with one parcel and one port. Thank you.

John Coleman was recognized: Thank you, Chair Wasserman and Commissioners. I usually do not speak at meetings, nor do I speak usually twice, but I do want to thank BCDC on this process. I heard the initial presentation at the SPAC meeting. I reached out to Larry Goldzband and then Cory. Erik made a presentation to our members; I wanted to make sure that our members were aware of what you are doing so we would not have the issues that we had a decade ago with the Bay Plan Amendments.

We did not have negative feedback from our members on this and I think that is really kudos to the hard work that you and your staff and SPAC have done in trying to embrace the different issues that exist out there.

And since I have 2 minutes and 14 seconds left and I have not talked about this in a long time, the ports play a critical role to the economy, not only of our region, our state and our nation. The amount of goods that go in and out of our ports drive the economy to a very large extent of California. The tax revenue that is generated by the ports is huge for our economy.

Had it not been for state and federal monies coming in, we would not be able to clean the ports up as they needed to be cleaned up from an environmental perspective.

And dredging goes along with that, if we don't dredge, we are not going to get the big ships in. If we don't get the big ships in those ships are going to go elsewhere. That does not help us locally because we have tens of thousands of local jobs that are high-paying union jobs that benefit from the activities of the port.

We want to make sure that all the ports in our region are benefiting. We want to make sure that everybody understands the economic value of the ports in our region. I believe that this Seaport Plan addresses those issues and, again, thank you very much.

Kristine Zortman spoke: Thank you. Kristine Zortman, I am the Executive Director at the Port of Redwood City; I am also a member on the SPAC.

I would like to just say, this has really been, I believe, a great process, from our perspective.

As Mr. Coleman mentioned, ports are an economic engine for this region. If you look at the state of California, there are 11 municipal ports throughout the state of California. The ports that are in BCDC's jurisdiction, four of those ports, one is private, but four of those ports are in your jurisdiction.

I want to say that through this process I have truly appreciated the collaborative approach. I know that there was a little difficulty there sometimes. But I think the collaborative approach, in particular I want to definitely recognize Cory and Erik and other BCDC staff in reaching out to members of the SPAC, in reaching out to port staff and others to make sure that what was coming into this Plan is truly a Plan that I think we can all be proud of; and we can all be proud of the collaboration and the cooperation that exists. And so, with that I just want to say thank you.

Chair Wasserman asked: Any speakers remotely?

Ms. Ruiz stated: No public comment.

Chair Wasserman continued: Any other questions or comments from Commissioners?

Commissioner Gunther commented: I first just want to thank everybody who took the time to come here and tell us how great we are; that is really, it is always nice to hear. But, of course, Commissioners like me have nothing to do with that. That is really the responsibility of the staff and all of you working together. I am just really, really pleased to hear that while I am sure there were some disagreements, that everybody feels heard, respected, and collaborated with and that is going to serve us going forward, so that is really wonderful.

Cory, I have one question for you in regards to the sea level rise. Are there differences in vulnerability to sea level rise among our ports?

And I know just enough to be dangerous about this. I was surprised at one point to learn that the Port of Oakland is actually less vulnerable than I expected because facilities had been raised or were higher for whatever reasons. So, could you give us a little info about that?

Mr. Mann answered: Thanks for that question, Commissioner. I can start and see if any other BCDC staff want to jump in. I think the answer is yes, of course there are definitely differences between and among the ports in terms of their vulnerability to sea level rise.

I think there is still a lot of work for us to do at BCDC in terms of the implementation of SB 272 and our planning processes as it relates to ports. To be honest, we did not undertake a really in-depth analysis related to sea level rise in making the policies for the Seaport Plan because those policies are really a bridge toward these efforts that we are working on now. I am not sure if I have any particularly good insights other than to say we recognize that is absolutely correct.

Mr. Buehmann chimed in: Can I just add. There was not a big resilience or risk assessment taken to the ports as part of this process. The process was really driven by the Cargo Forecast being updated, the previous Cargo Forecast that governed the Plan, to do a new Cargo Forecast and update the policies.

But we acknowledged while we were working through it that the planning landscape, especially with sea level rise, is really shifting a lot.

Obviously, we have SB 272, Bay Adapt, and also there is state legislation that requires the ports to individually go through a risk assessment and analysis for sea level rise. And that was sort of ongoing at the same time we were doing this process.

We think that it is really likely that, especially with SB 272 and some of the subregional plans that will be created through Bay Adapt, that we will be looking at this in more detail later in terms of resilience of the ports.

Ms. Fain stated: I would just add that on the specifics of the different ports, the State Lands Commission, there is a law that the State Lands Commission required each of the ports to prepare a Sea Level Rise Adaptation Plan. In addition, our ART Bay Area Report looked at a high-level across the region at the ports.

I think one thing we have found is at the lower levels of sea level rise it is true, there is not those immediate risks to port operations that you might expect. But as you look out to those higher numbers, of course, these are areas on our waterfront, and they are going to be inundated.

Some of the initial flooding that you see is often to the roads or the railways that connect to the ports and behind the ports, and so as part of a whole port ecosystem, sea level rise is incredibly important.

And as one of our speakers mentioned ports cannot really retreat, so we are going to have to figure out how to make those functional. But it is not necessarily overtopping at the terminals, it is water coming in from other ways.

Commissioner Gunther continued: Yes. And also, I would assume that the ports are a good example of a place where as they are fortified that there are neighboring lower land places that might have their vulnerability altered. And that, I assume, will be part of our analysis of equity in the Plan.

Commissioner Kishimoto commented: Yes, thank you. I had a question about this decision to rename or take away that section that was Ground Transportation and rename it into Regional Coordination and Future Seaport Plan Updates. I was asking myself and what bothered me about it, and part of it is just thinking about what BCDC's role, which is focused on the 100-foot band and Bay fill and I get that.

But it seems like when you look at the Cargo Forecast you are looking at the demand and supply mostly from the water side; but I do not see as much analysis from the land side.

And I know there's many other agencies involved and other requirements for electrification and such is great. But there is not a lot about the multimodal connections, and do we have enough room for all the staging that needs to take place there. So, I was just wondering how much thought has gone into the land side planning for the 100-foot band for the ports?

Mr. Mann replied: Thanks. That is a great question. I think there is some additional context too in terms of the origins of the Seaport Plan and what we have done with this update that I should share that would be helpful. Of course, there has been a lot of shifts since especially the first Seaport Plan was published, but really all of the last versions, in terms of regional planning and how different agencies are working together on that kind of work.

Earlier versions of the Seaport Plan were developed as a cooperative effort originally between BCDC and MTC, so the Seaport Plan constituted the maritime element of MTC's Regional Transportation Plan, and it was used by MTC to assist in making some project funding decisions.

But since then MTC has shifted its focus. It has published the San Francisco Bay Area Goods Movement Plan, which was really the Plan that probably most directly speaks to the questions that you are raising, and Plan Bay Area.

So, the Seaport Plan itself just has not been an effective driver of regional transportation planning efforts. We, of course, worked with MTC on updating the Plan, but the scope of the update has been more focused on BCDC's specific legal authority under the McAteer-Petris Act and the Bay Plan, so those efforts have changed.

But that is also why we included a policy in that section on regional coordination that we would like to try to time the timing of future updates to the Seaport Plan to synchronize that with some of MTC's work. We have been talking with MTC staff about that. We think that would be a great way to work together. It might also help us to leverage some support for things like outreach and public meetings and that kind of thing. That is some of the thinking that has gone into that.

Commissioner Kishimoto asked: Does that mean that BCDC will be a big partner or participant in the goods movement plan?

Mr. Mann replied: I would certainly hope so, yes.

Chair Wasserman asked: Any other comments or questions from Commissioners?

I would entertain a motion to close the public hearing.

MOTION: Commissioner Gunther moved to close the public hearing, seconded by Commissioner Ranchod. The motion carried by a voice vote with no abstentions or objections.

Chair Wasserman stated: As we previously discussed, we are not voting on this today, but we do look forward to it coming back to us with the inclusion of the comments and questions that have been made and raised.

9. Commission Consideration of a Contract with the Port of San Francisco to Fund Planning Activities. Item 9 was postponed.

10. Briefing on Resilient State Route 37 Projects. Item 10 was postponed.

11. Adjournment. Upon motion by Commissioner Showalter, seconded by Commissioner Kishimoto, the Commission meeting was adjourned at 3:15 p.m.